SUPREME COURT MINUTES WEDNESDAY, JANUARY 5, 2005 SAN FRANCISCO, CALIFORNIA

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on January 5, 2005, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegar, Chin, Brown, and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Gail Gray, Calendar Coordinator.

S116288 Cronus Investments, Inc., Plaintiff, Cross-defendant and Appellant

Concierge Services LLC, Defendant, Cross-complainant and Respondent;

Westrec Marina Management et al., Defendants and Respondents Howard Jon Colman, Cross-defendant and Appellant

Cause called. William A. Soroky opened argued for Appellant.

Robert A. Olson continued argument for Appellant.

Thomas J. Ready argued for Respondent.

Mr. Soroky replied. Cause submitted.

S123853 Renee Walker, Plaintiff and Appellant

v

Los Angeles County Metropolitan Transportation Authority, Defendant and Respondent

Cause called. Richard L. Knickerbocker argued for Appellant.

Paul B. Beach argued for Respondent.

Mr. Knickerbocker replied.

Cause submitted.

S045504 The People, Respondent

V.

Hooman Ashkan Panah, Appellant

Cause called. Robert R. Bryan argued for Appellant.

Ana R. Duarte, Office of the Attorney General, argued for

Respondent.

Mr. Bryan replied. Cause submitted.

Court adjourned.

BRODERICK (MARGARET E.) ON H.C.

Petition stricken (case closed)

Due to clerical oversight and lack of jurisdiction, the petition for writ of habeas corpus filed December 23, 2004, is hereby ordered stricken

S129705

G034716 Fourth Appellate District,

Division Three

AGUILAR v. S.C. (PEOPLE)

Petition for review and application for stay denied

S130030

B179424 Second Appellate District,

Division Two

GOVIN v. S.C. (PEOPLE)

Petition for review and application for stay denied

Application for stay and petition for review denied without prejudice to renewal in this court in the event the superior court denies a renewed motion for funding based upon the showing made in the Court of Appeal.

S130351

B179779 Second Appellate District, Division Two

GOVIN v. S. C. (PEOPLE)

Stay order filed

The motion to seal the petition for review is granted. The records are ordered sealed because they involve confidential defense strategy in a capital case. The court finds that an overriding interest overcomes the right of public access to the record; there is a substantial probability the overriding interest will be prejudiced if the record is not sealed; the sealing is narrowly tailored; and no less restrictive means exist to achieve the overriding interest. (Cal. Rules of Court, rule 243.1.)

Pending further order of this court, trial in People v. Pravin Govin, Los Angeles County Superior Court Number BA234510-03, is hereby stayed.

S129281

B178603 Second Appellate District,

Division Two

WIGGINS (KEITH E.) ON H.C.

Time extended to grant or deny review

to February 15, 2005

H027161 Sixth Appellate District

H026265

JAFFE (STEVEN) ON H.C.

Time extended to grant or deny review

to February 17, 2005.

S129348

A108202 First Appellate District,

Division Four

HANEY (SAMUEL) ON H.C.

Time extended to grant or deny review

to February 17, 2005

S129350

B178844 Second Appellate District,

Division One

SCOTT (PAUL) ON H.C.

Time extended to grant or deny review

to February 17, 2005

S129369

F046596 Fifth Appellate District

SYZEMORE (PHILIP) ON H.C.

Time extended to grant or deny review

to February 11, 2005

S049626

PEOPLE v. HAJEK & VO

Extension of time granted

to March 8, 2005 to file appellant HAJEK'S opening brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension is granted based upon Deputy State Public Defender Alison Pease's representation that she anticipates filing that brief by 5/9/2005.

S051451

PEOPLE v. VALENCIA (ALFREDO)

Extension of time granted

to February 10, 2005 to file appellant's opening brief. After that date, no further extension will be granted. Extension is granted based upon Deputy State Public Defender Jamilla Moore's representation that she anticipates filing the brief by 2-10-2005.

PEOPLE v. BUTLER (RAYMOND O.)

Extension of time granted

to March 7, 2005 to file respondent's brief.

S060500

PEOPLE v. D'ARCY (JONATHAN D.)

Extension of time granted

to January 31, 2005 to file a response to respondent's motion to unseal transcripts and records on appeal. After that date, only one further extension totaling about 30 additional days will be granted.

S060803

PEOPLE v. MUNGIA (JOHN)

Extension of time granted

to February 10, 2005 to file respondent's brief. Extension is granted based upon Deputy Attorney General Lise Jacobson's representation that she anticipates filing that brief by 2/10/2005. After that date, no further extension is contemplated.

S061026

PEOPLE v. MCCURDY (GENE E.)

Extension of time granted

to March 8, 2005 to file appellant's opening brief. The court anticipates that after that date, only five further extensions totaling about 300 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

S067392

PEOPLE v. FREDERICKSON (DANIEL C.)

Extension of time granted

to March 8, 2005 to file appellant's opening brief.

PEOPLE v. POTTS (THOMAS) Extension of time granted

to March 8, 2005 to file appellant's opening brief. The court anticipates that after that date, only four further extensions totaling about 240 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

S078404

PEOPLE v. BRADY (ROGER H.) Extension of time granted

to March 4, 2005 to file appellant's opening brief. After that date, only two further extensions totaling about 90 additional days will be granted. Extension is granted based upon counsel Susan K. Marr's representation that she anticipates filing that brief by 6/1/2005.

S115318

YOUNG (ROBERT) ON H.C. Extension of time granted

to February 2, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. Extension is granted based upon counsel Wesley A. Van representation that he anticipates filing that document by 2/2/2005. After that date, no further extension will be granted.

S121004

DANKS (JOSEPH MARTIN) ON H.C. Extension of time granted

to February 7, 2005 to file reply to informal response. After that date, no further extension will be granted. Extension granted based upon counsel Gary D. Sowards's representation that he anticipates filing the brief by 2-7-2005.

C041818 Third Appellate District

PEOPLE v. RABADUEX

Extension of time granted

to January 24, 2005 for appellant to file the reply brief on the merits.

S121723

F040188 Fifth Appellate District

F040529

JOHNSON v. FORD MOTOR COMPANY

Extension of time granted

to January 24, 2005 to file the

CONSOLIDATED ANSWERS TO ALL

AMICUS CURIAE BRIEFS.

S123203

B152948 Second Appellate District,

Division Four

RUSHEEN v. COHEN

Extension of time granted

to January 26, 2005 for respondents to file the

reply brief on the merits.

S123951

C042504 Third Appellate District

WELLS v. ONE2ONE LEARNING FOUNDATION Extension of time granted (3)

- (1) to February 7, 2005 for respondent Camptonville Union Elementary School District to file the reply brief. No further extensions of time are contemplated.
- (2) to February 7, 2005 for respondent One2One Learning Foundation to file the reply brief. No further extensions of time are contemplated.
- (3) to February 7, 2005 for respondent Camptonville Academy, Inc., to file the reply brief. No further extensions of time are contemplated.

S124828

B168200 Second Appellate District, Division Eight BENNIGSON v. ALSDORF Extension of time granted (2)

- (1) to January 28, 2005, for respondent to file the answer to the amicus curiae brief of Bet Tzedek.
- (2) to January 28, 2005, for respondent to file the answer to amicus curiae brief of George Nakano.

A103479 First Appellate District, Division Five SAN FRANCISCO, CITY & COUNTY OF v. COBRA SOLUTIONS, INC. Extension of time granted (1)

- (1) to January 18, 2005 for respondents to file the answer to amicus curiae brief filed by the Attorney General.
- (2) to January 19, 2005 for respondents to file the answers to amicus curiae brief filed by the California Public Defenders Association and the California State Association of Counties and League of Cities.

S126775

HUGHES (KRISTIN) ON H.C. Extension of time granted

to February 2, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only four further extensions totaling about 120 additional days will be granted. Extension is granted based upon counsel Wesley A. Van Winkle's representation that he anticipates filing that document by 6/1/2005.

S127513

B168950 Second Appellate District, Division Six

S.B. BEACH PROPERTIES v. BERTI

Extension of time granted

to February 10, 2005 for appellants to file the answer brief on the merits. No further extensions of time will be granted.

S129125

B175054 Second Appellate District, Division Six CITY OF GOLETA v. S.C. (OLY CHADMAR SANDPIPER GENERAL PARTNERSHIP Extension of time granted

to February 20, 2005 to file real party in interest's opening brief on the merits. No further extensions will be granted.

C040891 Third Appellate District

PEOPLE v. ADAMS

Counsel appointment order filed

William J. Capriola for appellant. Appellant's brief on the merits must be filed on or before 30 days from the date respondent's opening brief on the merits is filed.

B173511 Second Appellate District, Division Five

PAMELA MacDONALD v. AMY MacDONALD Ordered filed

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Five to Division Four.

Bar Misc. 4186

IN THE MATTER OF THE APPLICATION OF THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA FOR ADMISSION OF ATTORNEYS

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:
(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)